

Message Text

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PAGE 01 STATE 114189
ORIGIN OES-07

INFO OCT-01 ARA-14 IO-14 ISO-00 L-03 COME-00 CIAE-00
DODE-00 NSAE-00 NSCE-00 SSO-00 ICAE-00 INRE-00
ACDA-12 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00
DLOS-09 DOTE-00 EB-08 EPA-04 SOE-02 DOE-15 FMC-02
TRSE-00 H-02 INR-10 INT-05 JUSE-00 NSF-02 OMB-01
PA-02 PM-05 SP-02 SS-15 /142 R

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ARA/CEN-MR. MATTHEWS
COMM/NOAA-MS. KEITH

-----021622 042254Z /62

O P 042158Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE IMMEDIATE
AMEMBASSY MEXICO IMMEDIATE
INFO USMISSION GENEVA PRIORITY

UNCLAS STATE 114189

GENEVA FOR AMB. CLINGAN LOS DEL

E.O. 11652: N/A

TAGS: EFIS, CR, MX

SUBJECT: RESPONSE TO GOCR NOTE RE IATIC
MEXICO CITY FOR ASSISTANT SECRETARY TODMAN
REF: (A) SAN JOSE 1872, (B) SAN JOSE 1873

1. FOLLOWING IS TEXT FOR EMBASSY SAN JOSE REPLY TO GOCR
NOTE TRANSMITTED REF(B). BEGIN TEXT: (COMPLIMENTARY OPEN-
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PAGE 02 STATE 114189

ING) AND HAS THE HONOR TO REFER TO THE MINISTER'S NOTE
DATED APRIL 27, 1978, CONCERNING THE FISHERY FOR TUNA IN
THE EASTERN PACIFIC OCEAN.

2. IT IS WITH PROFOUND REGRET THAT THE GOVERNMENT OF THE
UNITED STATES ACKNOWLEDGES RECEIPT OF THE NOTICE OF THE
GOVERNMENT OF COSTA RICA OF ITS INTENTION OF DENOUNCING THE

CONVENTION ESTABLISHING THE INTER-AMERICAN TROPICAL TUNA COMMISSION (IATTC), SIGNED BY THE DULY AUTHORIZED PLENIPOTENTIARIES OF THE TWO COUNTRIES AT WASHINGTON, D. C. ON MAY 31, 1949. IN ACCORDANCE WITH ARTICLE V OF THE CONVENTION, THE GOVERNMENT OF THE UNITED STATES, AS DEPOSITORY GOVERNMENT, SHALL INFORM THE OTHER HIGH CONTRACTING PARTIES OF THE COSTA RICAN NOTIFICATION OF DENUNCIATION. IN ACCORDANCE WITH ARTICLE V, SUCH NOTIFICATION SHALL BECOME EFFECTIVE ONE YEAR AFTER ITS RECEIPT BY THE GOVERNMENT OF THE UNITED STATES, OR ON APRIL 27, 1979.

3. THE GOVERNMENT OF THE UNITED STATES TAKES NOTE OF THE LICENSING REQUIREMENTS OF THE GOVERNMENT OF COSTA RICA FOR FOREIGN VESSELS FISHING FOR TUNA WITHIN 200 MILES OF THE COAST OF COSTA RICA. THE UNITED STATES DOES NOT CLAIM JURISDICTION OVER THE HIGHLY MIGRATORY TUNA WITHIN ITS 200 MILE FISHERIES CONSERVATION ZONE, AND DOES NOT RECOGNIZE THE 200 MILE JURISDICTIONAL CLAIMS OF OTHER NATIONS OVER TUNA. IN THE VIEW OF THE UNITED STATES, TUNA VESSELS FISHING IN ACCORDANCE WITH AGREED INTERNATIONAL CONSERVATION MEASURES ARE DOING SO LEGALLY AND ARE NOT OBLIGED TO PURCHASE FISHING LICENSES IN ORDER TO GAIN ACCESS TO ANY FISHERY COVERED BY THE CONVENTION.

4. ALTHOUGH THE GOVERNMENT OF THE UNITED STATES DOES NOT SHARE THE VIEW OF THE GOVERNMENT OF COSTA RICA THAT THE UNCLASSIFIED

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PAGE 03 STATE 114189

CONVENTION ESTABLISHING THE IATTC IS INCOMPATIBLE WITH THE EQUITABLE ALLOCATION OF THE TUNA RESOURCES, THE UNITED STATES IS PREPARED TO NEGOTIATE SERIOUSLY TOWARDS THE CREATION OF A NEW REGIME FOR THE CONSERVATION AND MANAGEMENT OF TUNA IN THE EASTERN PACIFIC. THE GOVERNMENT OF THE UNITED STATES SHARES THE HOPE OF THE GOVERNMENT OF COSTA RICA THAT A NEW TUNA CONSERVATION AND MANAGEMENT REGIME CAN BE ESTABLISHED IN THE EASTERN PACIFIC WHICH IS EQUITABLE AND SATISFIES THE LEGITIMATE INTERESTS OF BOTH COASTAL AND NON-COASTAL STATES WITH AN INTEREST IN THE FISHERIES. THE UNITED STATES IS PREPARED TO RESUME NEGOTIATIONS BEGUN LAST SEPTEMBER IN SAN JOSE AT ANY TIME MUTUALLY ACCEPTABLE TO THE VARIOUS GOVERNMENTS INVOLVED. IN THIS CONVENTION, THE UNITED STATES GOVERNMENT WOULD WELCOME SUGGESTIONS BY THE CO-SPONSORS OF THE 1977 CONFERENCE AS TO A SUITABLE TIME FOR A RESUMPTION OF THESE NEGOTIATIONS AS WELL AS AN INDICATION AS TO WHERE THE CO-SPONSORS MIGHT WISH TO HOLD THEM. FOR ITS PART, THE UNITED STATES WOULD SUGGEST THAT THE CO-SPONSORS CONSIDER THE POSSIBILITY OF A MEETING AT SOME TIME DURING THE MONTH OF AUGUST 1978, PROVIDED, OF COURSE, THAT THERE IS SUFFICIENT ADVANCE NOTIFICATION TO ALL PARTIES

CONCERNED SO THAT THEY MAY ADEQUATELY PREPARE FOR THE MEETING.

5. THE GOVERNMENT OF THE UNITED STATES URGES THE GOVERNMENT OF COSTA RICA TO EXERCISE RESTRAINT IN THE ENFORCEMENT OF ITS FISHERIES LAW AGAINST VESSELS WHICH ARE FISHING IN ACCORDANCE WITH THE CONSERVATION MEASURES AGREED TO BY ALL THE MEMBER GOVERNMENTS OF THE IATC, INCLUDING THE GOVERNMENT OF COSTA RICA. THE GOVERNMENT OF THE UNITED STATES BELIEVES IT IS IMPORTANT THAT DURING THIS

TRANSITIONAL PERIOD EVERY EFFORT BE MADE TO AVOID A CONFRONTATION ON THE LEGAL ISSUES INVOLVED, A DEVELOPMENT WHICH WOULD ONLY MAKE THE NEGOTIATIONS MORE DIFFICULT AND UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 114189

WOULD SERVE THE INTERESTS OF NEITHER THE GOVERNMENT OF COSTA RICA NOR THE GOVERNMENT OF THE UNITED STATES. (COMPLIMENTARY CLOSE).

6. FOR MEXICO CITY: PLEASE PROVIDE TEXT OF FOREGOING TO APPROPRIATE GOM OFFICIALS DRAWING PARTICULAR ATTENTION TO CONTENT OF PARA FOUR ABOVE. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
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